



TOWN OF NUCLA, COLORADO

REGULAR MUNICIPAL ELECTION

TUESDAY, APRIL 5, 2016

CANDIDATE

INFORMATIONAL PACKET

Tracy Smith
Nucla Town Clerk
Updated January 2016



Town of Nucla, Colorado

320 Main Street – P.O. Box 219
Nucla, CO 81424

nucla1@nntcwireless.com

Phone: (970) 864-7351

FAX: (970) 864-7600

To Town of Nucla Trustee Candidates:

The enclosed materials have been prepared by the Nucla Town Clerk's Office for reference by Trustee candidates in the Town of Nucla regular municipal election, which will be held **Tuesday, April 5, 2016**. Included are a summary of the basic requirements associated with the election, a listing of certain election dates, and forms required for participation in the election.

This packet is intended for and provided as information only. The Town Clerk's Office cannot and does not provide legal advice. Please consult your own attorney if you have specific questions about election laws.

The Town of Nucla's regular municipal election will be conducted as a mail ballot election. The designated polling place for all precincts within the Town's limits will be the Nucla Town Hall (located at 320 Main Street), with hours from 7:00 a.m. to 7:00 p.m. The ballot will ask voters to consider candidates for Three (3) Trustee positions.

Nomination petitions may be picked up at the Town Hall on Tuesday, January 5, 2016 and may start to be circulated that same day. A minimum of ten signatures from registered voters residing within the Town limits is required in order to establish candidacy (it is recommended that you get double that in case some signatures do not meet qualifications). Voters may only sign one petition per position (so in this case three). Completed nomination petitions, along with a signed Affidavit of Circulator form (included in Nomination Petition packet) and Acceptance of Nomination form are due at Town Hall not later than Monday, January 25, 2016 by 6:00 p.m. A drawing by lot will be held in the Town Hall at 9:00 a.m. on Tuesday, January 26, 2016, to determine the order candidates will be listed on the official ballot. Either the candidate or a representative appointed by the candidate may be present.

Regardless if a candidate chooses to accept outside contributions for campaigning purposes (resources other than candidate's personal funds), he/she must comply with the Fair Campaign Practices Act's reporting requirements which stipulate that the necessary forms be filed in the office of the Town Clerk by the dates required as per State Statute and listed in this packet.

If you have any questions after reading the enclosed materials, please call me at 970-864-7351. Good luck!

Sincerely,

Tracy Smith
Town Clerk

**TOWN OF NUCLA
MUNICIPAL ELECTION - APRIL 5, 2016
CANDIDATE PACKET**

1. General Election Information
2. Qualifications to Hold Municipal Office
3. Nomination Procedure
4. Write-In Candidates
5. Circulation of Nomination Petitions
6. Voter Registration Information
7. Ballots
8. Fair Campaign Practices Act (FCPA)
9. Candidate Election Calendar
10. Election Related Forms

1. GENERAL ELECTION INFORMATION

The Town of Nucla regular municipal election will be held on April 5, 2016. At this election, eligible persons registered to vote, up to and including Election Day, will have the opportunity to vote for three Trustees. Qualified voters must have resided within the Town's limits as of March 5, 2016 and be properly registered with the Montrose County Clerk. Voter registration material is available at the Nucla Town Hall.

This election will be conducted as a mail ballot election, utilizing paper ballots. There is one polling place for the Town of Nucla, located at the Nucla Town Hall, 320 Main Street. The polls will be open from 7:00 a.m. until 7:00 p.m. on Election Day.

The Town of Nucla is a statutory Town whose actions are generally governed by the Colorado Revised Statutes (C.R.S.) Election rules are covered in Title 31 - Municipal Election Code; and Article 1, Title 1, Elections, of the C.R.S. A complete set of Colorado Revised Statutes are available for review at the Town Hall.

The three persons elected to the Board of Trustees will serve four-year terms of office. The term commences at the first regular board meeting following the date of election. Successful candidates will be sworn into office at the April 13, 2016 at 6:00 p.m. at the regular Board meeting. All municipal elections are nonpartisan and nomination is accomplished by petition.

The Nucla Board of Trustees meets on the 2nd & 4th Wednesdays of each month at 6:00 p.m. in the Town Hall. Special meetings and workshops are additionally scheduled throughout the calendar year.

Term Limits: Nucla has not repealed term limits. Therefore, "no elected member of any city, town, ... shall serve more than two consecutive terms in office, except that with respect to terms of office which are two years or shorter in duration, no such elected official shall serve more than three consecutive terms in office." (Article 18, Section 11 of the Colorado Constitution)

2. QUALIFICATIONS TO HOLD MUNICIPAL OFFICE

Persons wishing to run for Nucla municipal office must meet the following criteria:

1. U.S. citizen
2. At least 18 years of age
3. Resident of Nucla at least 12 consecutive months preceding date of election
4. Registered elector
5. Maintains residence throughout term of office.

3. NOMINATION PROCEDURE

Candidates for municipal offices shall be nominated "at large", without regard to political party affiliation or geographic location. Municipal candidates are all nominated by petition. Nomination petitions must be filed in the Town Clerk's office **no later than 5:00 p.m. on Monday, January 25, 2016.**

Each nomination petition shall be completed with the name of the candidate as he/she wishes it to appear on the ballot, the candidate's place of residence, and the office being sought.

Candidates may use a nickname, but may not use any title or degree designation with the business or profession of the candidate.

Withdrawal from Election: Candidates may withdraw from the election by submitting a written affidavit to the Town Clerk stating their withdrawal no later than 5:00 p.m., Tuesday, February 2nd.

4. WRITE-IN CANDIDATES

Write-in candidate votes will not be counted unless an Affidavit of Intent has been received. An Affidavit of Intent of Write-In Candidate must be submitted to the Town Clerk no later than 5:00 p.m. Tuesday, March 11th.

5. CIRCULATION OF NOMINATION PETITIONS

The candidate may circulate his/her own petition. Candidates may have others circulate petitions for them.

Each nomination petition can only be circulated by one person.

Nomination petitions cannot be left unattended by the circulator.

The circulator must witness and certify by affidavit that each signature is the signature of the person whose name it purports to be, and that each signer has stated to the circulator that he is a registered elector of the municipality for which the nomination is being made.

The nominating petition must contain 10 signatures of registered electors residing within the town limits of the Town of Naturita. An elector has the right to sign **only** as many petitions as there are offices to fill (i.e., 0 mayoral petition and 4 trustee petitions in this election). Each registered elector signing the petition must also print their name and **physical address** as it appears on their voter registration (no P.O. Boxes, please).

A candidate may wish to obtain more than the required 10 signatures in the event a name is challenged, found to be ineligible or otherwise eliminated. Signatures will be verified by the Clerk. If signatures are eliminated by the Clerk resulting in fewer than 10 registered electors signing a petition, the petition circulator will have time in which to amend the petition. The last day to amend a nomination petition is Monday, February 1, 2016.

First day petitions may be requested and circulated:	January 5, 2016
Last day to file nomination petitions:	January 25, 2016
Last day to amend nomination petitions:	February 1, 2016

6. VOTER REGISTRATION INFORMATION

To be eligible to vote, one must be eighteen years of age, be a citizen of the United States, have resided in this State for twenty-two days and in the Town of Nucla for thirty days, immediately preceding the election.

Voter registration forms are available through any municipal or county clerk's office or in Town Hall.

The last day to register to vote in this election is April 5, 2016.

7. BALLOTS

The position of names on the ballot is determined by lot. The drawing of names for the position on the ballot is conducted by the Clerk at Town Hall. The drawing by lot will be held in the Town Hall at 9:00 a.m. on Tuesday, January 26, 2016, to determine the order candidates will be listed on the official ballot. Either the candidate or a representative appointed by the candidate may be present.

8. FAIR CAMPAIGN PRACTICES ACT (FCPA)

The reporting requirements of the Fair Campaign Practices Act apply to all mayoral and trustee candidates. All forms required by the Act must be filed with the Town Clerk.

It is the responsibility of each candidate to become familiar with, and meet, the reporting and filing provisions of the Fair Campaign Practices Act (FCPA).

A copy of the Colorado Fair Campaign Practices Act and Colorado Amendment 27 are included in this packet.

Forms necessary to complete this requirement, as well as a copy of the Colorado Fair Campaign Practices Act, are attached. Please review the documents thoroughly to proceed within these guidelines.

1. Attached is the **Candidate Affidavit**, which a candidate is required to file with the Town Clerk within 10 days of becoming a candidate (at the time nomination petitions are received and certified by Town Clerk).
2. Attached is the **Candidate Statement of Non-Receipt of Contributions or Non-Expenditure of Funds** which a candidate is required to file with the Town Clerk according to the following schedule:

Schedule for filing FCPA forms:

Deadline

March 15

April 1

May 5

Reporting Period by 5:00 pm

1st Campaign Report Due

2nd Campaign Report Due

3rd Post Campaign Report due

****This assumes that a candidate receives no outside contributions. If he/she chooses to receive contributions, a Report of Contributions and Expenditures must be filed with the Town Clerk, see #4 below.**

- 3. Attached is the Committee Registration Form that a candidate is required to file with the Town Clerk before accepting any outside contributions.**
- 4. Attached is the Detailed Summary Report of Contributions and Expenditures, including Schedules A, B, C, and D, which a candidate is required to file if outside contributions are accepted with the Town Clerk according to the schedule shown.**

Please be aware that no campaign material can be placed within 100 feet of the polling place (The Town Hall) on Election Day, April 5, 2016.

***DO NOT FILE FCPA FORMS ELECTRONICALLY. All FCPA forms in this election are filed with the Town Clerk.**

Even if a candidate accepts no contributions, nor expends any funds, there are FCPA forms to complete.

Failure to comply with the requirements of FCPA may result in enforcement action and the imposition of fines (CRS 1-45-111.5).

For more information on FCPA, please visit www.sos.state.co.us

***Within 10 days of becoming a candidate, you MUST file the Candidate Affidavit Failure to submit this form “shall result in the disqualification of such person as a candidate”.**

9. CANDIDATE ELECTION CALENDAR

TOWN OF NUCLA REGULAR MUNICIPAL ELECTION APRIL 5, 2016

January 5, 2016	First day to circulate nomination petitions
January 25, 2016	Last day to circulate nomination petitions, signed affidavit of circulator and acceptance of nomination due in Town Clerk's office by 5:00 p.m.
January 26, 2016	Drawing by lot to determine order of candidates listed on ballot 9:00 a.m. at Town Hall
February 1, 2016	Last day nomination petitions may be amended to correct or replace signatures
February 1, 2016	Last day for filing affidavit of intent for write-in candidates
February 2, 2016	Last day candidates may withdraw from nomination
March 15, 2016	First Campaign Report due
April 1, 2016	Second
April 5, 2016	Last day to register to vote in April 5, 2016 election
April 5, 2016	Election Day
April 15, 2016	Last day for Clerk to certify election results
May 5, 2016	Third Campaign Report due and Post Campaign Report

NOTE: These dates are determined according to the Municipal Election Code. Failure to meet a deadline could result in a candidate disqualification. If you are unclear on a deadline, please contact the Town Clerk's Office 303-258-3266 ext 23.

10. ELECTION RELATED FORMS

THIS FORM IS OPTIONAL AND IS USED FOR THE SOLE PURPOSE OF PROVIDING INFORMATION TO THE PUBLIC. IT WILL BECOME PART OF THE FILE WHICH IS OPEN TO PUBLIC REVIEW.

CANDIDATE BIOGRAPHICAL INFORMATION

1. NAME (including any nickname):

2. ADDRESS:

3. AGE:

4. OCCUPATION:

5. LENGTH OF TIME AS A TOWN RESIDENT:

6. PREVIOUS POLITICAL EXPERIENCE:

7. ANY OTHER INFORMATION THAT YOU WOULD LIKE TO INCLUDE:

DECLARATION OF CANDIDACY

OFFICE OF _____
TOWN OF NUCLA, COLORADO
AT-LARGE

To the Town Clerk
PO Box 219
320 Main Street
Nucla, CO 81424

I, _____, being an eligible elector as defined by the Colorado Election Statutes and a resident of the Town of Nucla for the required twelve (12) months prior to the election, hereby give written notice of my intent to be a candidate for the Office of _____ at Large for the Town of Nucla, Colorado at the regular municipal election on April 5, 2016 to serve for the legal term of four (4) years, depending on the position and as determined by law, or until a successor is elected and qualified as provided by Colorado Election Statutes.

Candidate's Signature

Date: _____

Physical Residence Address

Home Phone: _____

Work Phone _____

Received in the Office of the
Town Clerk

Date: _____

Time: _____

By

CANDIDATE'S AFFIDAVIT OF ACCEPTANCE

I, _____, residing at _____, Nucla Colorado, certify that I am a citizen of the United States, at least eighteen (18) years of age by or on the date of the election, and have resided in the municipality for which I am a candidate for the twelve (12) consecutive months preceding the date of the election to be held on April 5, 2016, and I hereby accept the nomination for the Office of _____ of the Town of Nucla, the petition for which was filed in the Office of the Town Clerk of the said town on _____, 2016. I hereby make affidavit to the fact that I have not become a candidate as the nominee or representative of or because of any promised support from any political party, committee, convention or organization representing or acting for any political party.

Candidate's Signature

My name as it shall appear on the election ballot shall be:

STATE OF COLORADO

COUNTY OF _____

Subscribed and sworn/affirmed to me this _____ day of _____, 2016.

My commission expires _____.

Notary

**Received in the Office of the
Town Clerk**

Date: _____

Time: _____

By

CERTIFICATE OF WITHDRAWAL FROM NOMINATION

In accordance with the provisions of the Colorado Election Code,

I, _____, hereby decline the nomination for the office of _____ for which office I was duly nominated by a Petition of Nomination filed in the office of the Town Clerk on the _____ day of _____, 2016, and which nomination was duly accepted by filing my written acceptance of such nomination for said office with the Town Clerk on the _____ day of _____, 2016, and hereby authorize my name to be withdrawn from the nomination for the office of _____ to be voted on at the ensuing regular election of _____, 2016.

Signature of Candidate

STATE OF COLORADO

COUNTY OF _____

Subscribed and sworn/affirmed to me this _____ day of _____, 2016.

My commission expires _____.

Notary

Received in the Office of the Town Clerk
Date: _____
Time: _____
_____ By

AFFIDAVIT OF INTENT OF WRITE-IN CANDIDATE

To the Town Clerk:

This is to certify that I, _____ desire
the office of _____ and to the best of my knowledge and belief,
will be fully qualified for said office on the date the term of office begins; that my
place of residence is, and has been since _____,
_____ in the Town of Nucla, County of
Montrose, State of Colorado and that my Post Office address is _____
Town of Nucla; and that my birth date is _____.

Signature of Candidate

STATE OF COLORADO

COUNTY OF _____

Subscribed and sworn/affirmed to before me this _____ day of _____,
2016.

My Commission expires _____.

Notary

**Received in the Office of the
Town Clerk**

Date: _____

Time: _____

By

Circulator's Affidavit

I _____, whose street address is _____, in the Town of Naturita, State of Colorado, County of Montrose, swear of affirm that I have circulated the foregoing petition section; that each signature thereon was affixed in my presence; that each signature thereon is the signature of the person whose name it purports to be; that each signer stated to me at the time of signing the petition section that he or she is a registered elector of the Town of Naturita, Colorado, Montrose County, Precinct 8.

Signature of Circulator

Date of Signing

State of Colorado)
) SS
County of Montrose)

Subscribed and sworn to me this _____ day of _____, 2016

Witness my hand and seal.

Notary Public

(SEAL)

Commission Expires: _____

NOMINATION PETITION

State of Colorado)
) ss.
County of Montrose)

We, the undersigned, do hereby join in petition for the nomination of:

Candidate's Name

Address

**For the office of Town Trustee for a term of 4 years, to be voted for at the Town of Nucla
Municipal Election to be held on April 5, 2016.**

	PRINTED NAME	SIGNATURE	STREET ADDRESS	DATE
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				

10 signatures (minimum) required.